



STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment
Judiciary Committee Public Hearing
March 9, 2011

House Bill 6489, An Act Requiring DNA Testing Of Persons Arrested
For The Commission Of A Serious Felony

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in regards to House Bill 6489, *An Act Requiring DNA Testing of Persons Arrested for the Violation of a Serious Felony*. While the Judicial Branch takes no position on the substance of the bill, we would respectfully note the following:

- In section 2(a)(1), we would suggest that after "release from custody" in line 103, the words "or transfer of custody" be added. This will clarify that the law enforcement agency that made the arrest is to take the sample of individuals released from custody, as well as those that are transferred to a DOC or Judicial Branch facility.
- In regards to section 3(b), the Judicial Branch currently has no mechanism to notify the State Police Forensic Science Laboratory that a dismissal, nolle, or acquittal has been entered. Furthermore, it would be difficult and costly to create an interface because we have no identifiers, such as a docket number, in common. Therefore, we would respectfully suggest that another unit within Department of Public Safety (DPS) – the State Police Bureau of Identification (SPBI) – notify the forensic lab of the outcome since we currently provide this information to SPBI.
- Also, in regards to section 3, basing the expungement on the outcome of the initial arrest charge could be problematic. Since charges are often modified by the prosecution throughout the process, it would seem to make sense to expunge the sample only if the arrest does not result in a conviction on any serious felony charge.

Thank you for the opportunity to submit written testimony.